

**AGENDA**  
**North Miami City Council**  
776 N.E. 125<sup>th</sup> Street, 2<sup>nd</sup> Floor, Council Chambers  
North Miami, FL 33161

**REGULAR MEETING**

**TUESDAY, JANUARY 27, 2015**  
**7:00 P.M.**

**1. CALL TO ORDER / ROLL CALL OF MEMBERS**

**2. PLEDGE OF ALLEGIANCE**

**3. INVOCATION**

**4. ORDER OF BUSINESS** (Additions/Deletions/Amendments/Deferrals)

**5. SPECIAL PRESENTATION(s)**

- ◆ Neighborhood Beautification Awards for 4<sup>th</sup> Quarter *by Tanya Wilson-Sejour, CP&D / Zoning Manager*

**6. CONSENT AGENDA**

UNLESS A MEMBER OF THE CITY COUNCIL WISHES TO REMOVE A SPECIFIC ITEM FROM THIS PORTION OF THE AGENDA, TABS A THROUGH G CONSTITUTE THE CONSENT AGENDA. THESE RESOLUTIONS AND ITEMS ARE SELF-EXPLANATORY AND ARE NOT EXPECTED TO REQUIRE ADDITIONAL REVIEW OR DISCUSSION. EACH ITEM WILL BE RECORDED AS INDIVIDUALLY NUMBERED RESOLUTIONS, ADOPTED UNANIMOUSLY BY THE FOLLOWING MOTION:

“...THAT THE CONSENT AGENDA COMPRISED OF TABS A THROUGH G BE ADOPTED...”

**[TAB A]**

APPROVAL OF MINUTES – Regular Council Meeting – January 13, 2015

*Sponsored by: Michael A. Etienne, City Clerk*

**[TAB B]**

AUTHORIZATION FOR EXPENDITURE IN AN APPROXIMATE AMOUNT OF \$40,000 FROM THE LAW ENFORCEMENT TRUST FUND TO BE UTILIZED FOR COMMUNITY PROJECTS AND EVENTS, TO PROMOTE POSITIVE POLICE IMAGE, CRIME PREVENTION AND OTHER LAW ENFORCEMENT PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Leonard Burgess, Chief of Police*

**[TAB C]**

PROPOSED RESOLUTION OF MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MUTUAL AID AGREEMENT AND JOINT DECLARATION BETWEEN THE CITY OF NORTH MIAMI AND MIAMI

SHORES VILLAGE TO PROVIDE FOR ADEQUATE LEVELS OF POLICE SERVICES;  
PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Leonard Burgess, Chief of Police*

**[TAB D]**

PROPOSED RESOLUTION OF MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MUTUAL AID AGREEMENT AND JOINT DECLARATION BETWEEN THE CITY OF NORTH MIAMI AND THE CITY OF MIAMI BEACH TO PROVIDE FOR ADEQUATE LEVELS OF POLICE SERVICES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Leonard Burgess, Chief of Police*

**[TAB E]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE EXECUTION OF A MUTUAL AID AGREEMENT AND JOINT DECLARATION BETWEEN THE CITY OF NORTH MIAMI AND THE CITY OF MIAMI GARDENS TO PROVIDE FOR ADEQUATE LEVELS OF POLICE SERVICES; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Leonard Burgess, Chief of Police*

**[TAB F]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE OFFICER FRESNEL J. DESIR IN RECOGNITION OF TWENTY-TWO (22) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Leonard Burgess, Chief of Police*

**[TAB G]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE AWARD OF A CITY-ISSUED FIREARM TO RETIRED POLICE SERGEANT DAVID ROSEN IN RECOGNITION OF OVER TWENTY (20) YEARS OF SERVICE TO THE CITY OF NORTH MIAMI AND THE NORTH MIAMI POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Leonard Burgess, Chief of Police*

## **7. CITY BOARD AND COMMITTEE APPOINTMENTS**

### **[TAB H]**

DISCUSSION REGARDING APPOINTMENTS TO THE CITY OF NORTH MIAMI'S VARIOUS BOARDS AND COMMITTEES.

*Sponsored by: Councilman Scott Galvin*

### **[TAB I]**

DISCUSSION REGARDING APPOINTMENTS TO THE MUSEUM OF CONTEMPORARY ART (MOCA) BOARD.

*Sponsored by: Councilman Scott Galvin*

## **8. PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.**

### **8.A. RESOLUTIONS**

#### **[TAB J]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE DESIGNATION OF THE NORTHEAST 132ND STREET FOUNTAIN LOCATED GENERALLY AT THE INTERSECTION OF NORTHEAST 132ND STREET, NORTHEAST 9TH AVENUE AND WEST DIXIE HIGHWAY AS A LOCAL 'HISTORIC LANDMARK', CONSISTENT WITH POLICY 8.1.7(9) OF THE NORTH MIAMI COMPREHENSIVE PLAN AND PURSUANT TO CHAPTER 16A - HISTORIC PRESERVATION, MIAMI-DADE COUNTY CODE OF ORDINANCES; ESTABLISHING A HISTORIC PRESERVATION PROGRAM IN THE CITY, CONSISTENT WITH POLICY 3A.3.3 OF THE NORTH MIAMI COMPREHENSIVE PLAN; SUPPORTING THE ACTIVITIES OF THE GREATER NORTH MIAMI HISTORICAL SOCIETY; AND FURTHER AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY WITH THE MIAMI-DADE COUNTY OFFICE OF HISTORICAL PRESERVATION, PURSUANT TO SECTION 16A-3.1, MIAMI-DADE COUNTY CODE OF ORDINANCES, TO EFFECTUATE THE DESIGNATION OF THE NORTHEAST 132ND STREET FOUNTAIN AS A 'HISTORIC LANDMARK'; PROVIDING AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: Mayor Smith Joseph, DO*

### **8.B. LEGISLATIVE MATTERS**

#### **8.B.1. ORDINANCES – SECOND READING AND PUBLIC HEARING**

#### **[TAB K]**

PROPOSED ORDINANCE (*SECOND READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 3, DIVISION 4, ENTITLED "CONDITIONAL USES", AT SECTION 3-409, ENTITLED "APPEALS" AND SECTION 3-410, ENTITLED

“CHANGES TO CONDITIONAL USE APPROVALS”, TO FURTHER CLARIFY CONDITIONAL USE REQUIREMENTS FOR MASTER PLANNED DEVELOPMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

*(ITEM PREVIOUSLY PULLED FROM THE JANUARY 13, 2015 COUNCIL AGENDA)*

*Sponsored by: City Administration*

*Responsible Staff Person: Tanya Wilson-Sejour, CP&D / Zoning Manager*

## **8.B.2. QUASI-JUDICIAL ITEM(s)**

### **[TAB L]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING THE PREVIOUSLY ISSUED CONDITIONAL USE PERMIT AND CONCEPTUAL MASTER DEVELOPMENT PLAN FOR TRACT A OF BISCAYNE LANDING PLAT, IN ACCORDANCE WITH ARTICLE 3, SECTION 3-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Tanya Wilson-Sejour, CP&D / Zoning Manager*

### **[TAB M]**

PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING APPROVAL OF THE CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, TRANSFERRING FIFTY-EIGHT (58) BONUS UNITS FROM THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT PRIMARY RESIDENTIAL POOL OF TWO THOUSAND TWO HUNDRED (2,200) FLOATING RESIDENTIAL UNITS FOR A PROPOSED DEVELOPMENT GENERALLY LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF NORTHEAST 135TH STREET AND NORTHEAST 6TH AVENUE, SITUATED WITHIN THE NRO DISTRICT, IN ACCORDANCE WITH ARTICLE 4, SECTION 4-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

*Sponsored by: City Administration*

*Responsible Staff Person: Tanya Wilson-Sejour, CP&D / Zoning Manager*

## **8.C. ORDINANCES – FIRST READING**

### **[TAB N]**

PROPOSED ORDINANCE (*FIRST READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING SECTIONS 10, 36, AND 58 OF THE CITY OF NORTH MIAMI CHARTER, AND AMENDING CHAPTER 6 OF THE CITY CODE OF ORDINANCES ENTITLED “ELECTIONS”, SPECIFICALLY AT SECTIONS 6-76 AND 6-78, ENTITLED “DATES OF ELECTIONS” AND “ELECTION OF CITY COUNCIL MEMBERS”, RESPECTIVELY, TO CHANGE THE DATE OF THE GENERAL ELECTION FROM MAY 2015 TO NOVEMBER 2016, AND TO CHANGE THE DATE OF ALL SUBSEQUENT ELECTIONS; CHANGING THE DATE OF THE RUNOFF ELECTION;

PROVIDING FOR THE EXTENSION OF EXISTING TERMS OF OFFICE; ADOPTING SUCH CHARTER AND CODE AMENDMENTS PURSUANT TO SECTIONS 100.3605(2), 101.75(3), AND 166.021(4), FLORIDA STATUTES (2014); PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

*Sponsored by: Councilman Philippe Bien-Aime*

**[TAB O]**

PROPOSED ORDINANCE (*FIRST READING*) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 4, DIVISION 3, ENTITLED “NON-RESIDENTIAL DISTRICTS,” SPECIFICALLY AT SECTION 4-302 ENTITLED “USES PERMITTED”, TO ESTABLISH LIQUOR PACKAGE STORES IN C-1 COMMERCIAL ZONING DISTRICTS, TO ENCOURAGE THE RETENTION, ATTRACTION AND EXPANSION OF BUSINESS AND INDUSTRY CONSISTENT WITH THE INTENT OF THE NORTH MIAMI COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

*Sponsored by: Councilman Philippe Bien-Aime*

*(THIS ITEM WAS TABLED AT THE NOVEMBER 25, 2014 COUNCIL MEETING)*

## **9. REQUESTS – PETITIONS – COMMUNICATIONS**

**[TAB P]**

DISCUSSION REGARDING JOE CELESTIN’S PROPERTY MANAGEMENT SERVICES AGREEMENT WITH THE CITY OF NORTH MIAMI.

*Sponsored by: City Administration*

## **10. CITIZENS’ FORUM**

## **11. COUNCIL REPORTS**

Mayor Smith Joseph, DO  
Vice-Mayor Carol Keys, Esq.  
Councilman Philippe Bien-Aime  
Councilman Scott Galvin  
Councilwoman Marie Erlande Steril, MSW

## **12. CITY CLERK’S REPORT**

## **13. CITY ATTORNEY’S REPORT**

## **14. CITY MANAGER’S REPORT**

## **15. ADJOURNMENT**

THIS MEETING IS OPEN TO THE PUBLIC. ANY PERSON WISHING TO APPEAL THE DECISION OF THE CITY COUNCIL WILL NEED A VERBATIM RECORD OF THE MEETING'S PROCEEDINGS, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (SECTION 286.0105, F.S.).

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE CITY CLERK NO LATER THAN FOUR (4) DAYS PRIOR TO THE PROCEEDING. TELEPHONE (305) 893-6511, EXT. 12147, FOR ASSISTANCE. IF HEARING IMPAIRED, TELEPHONE OUR TDD LINE AT (305) 893-7936 FOR ASSISTANCE.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE CITY CLERK, CITY OF NORTH MIAMI, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE CITY CLERK AT (305) 893-6511.

IN ACCORDANCE WITH NORTH MIAMI CODE SECTIONS 2-291 AND 2-305, ANY LOBBYISTS MUST REGISTER WITH THE CITY CLERK'S OFFICE BEFORE ADDRESSING THE COUNCIL ON ANY OF THE ABOVE ITEMS.

TWO OR MORE MEMBERS OF THE CITY COUNCIL AND OTHER CITY BOARDS MAY BE IN ATTENDANCE AT THIS MEETING. THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY A TELEPHONE CONFERENCE CALL. THE LOCATION, 776 N.E. 125TH STREET, NORTH MIAMI, FL 33161-0850, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT.

---

#### **ALCOHOLIC BEVERAGE SYMBOLS**

- 1-COP Beer only, Consumption on Premises
- 2-COP Beer and Wine, Consumption on Premises
- 4-COP Beer, Wine and Alcohol, Consumption on Premises
- 1-APS Beer, Package Sales Only
- 2-APS Beer and Wine, Package Sales Only
- 3-APS Beer, Wine and Alcohol, Package Sales Only

#### **ZONING SYMBOLS**

- R-1 Residential Estate District
- R-2 Single-Family District
- R-4 Multi-Family District
- R-5 Multi-Family District
- R-6 Multi-Family District
- RO Residential Office District

#### **ZONING SYMBOLS (continue)**

- C-1 Commercial District
- C-3 Commercial District
- C-2BE Commercial District
- C-2BW Commercial District
- M-1 Industrial District
- PU Public Use District
- PD Planned Development District
- AOD Arts, Culture and Design Overlay District
- NRO Neighborhood Redevelopment District